REMARKS

Claims 5, 6, 7, 9, 11, 12, 14, and 16-27 are presented for examination. Of these claims, claims 5, 7, 12 and 18 are independent and have been amended to further clarify the subject matter which applicant regards as the invention.

More specifically, and as will be described more fully hereinafter, independent claim 5 has been amended to more clearly define the location at which the first and second arms are pivotally connected to the latch housing. Notably, this pivotal connection exists at the elongated portion of the latch arms, which is disposed between the actuated end and the latching end of the latch arms. Further, independent claim 7 has been amended to more clearly define that the latch actuator is disposed between the latch arms and is slidably movable into engagement with the actuated ends of the latch arms so as to pivot the latch arms out of engagement with the catch housing. Independent claim 12 has been amended to more clearly define that the catch housing defines a pair of opposed slotted openings, and that the latch arms are biased such that the latching ends of the latch arms extend through the slotted openings and into engagement with an edge surface that at least partially defines the slotted openings. Finally, claim 18 has been amended to define that the latch actuator engages the actuated ends of the latch arms so as to move the actuated ends away from one another, thereby pivoting the latch arms to move the latching ends out of engagement with the catch housing.

Dependent claims 9, 14, 16, 17, 19, and 20 have been amended, while new claims 22-27 have been added. Reconsideration of the application in its current form is

respectfully requested.

The following will address the rejections set forth in the previous Office action as they relate to the amended claims, briefly described hereinbefore.

Claims 1-19 and 21 stand rejected as being unpatentable over US 1,143,653 to Smith in view of US 6,147,003 to Smart and US 1,264,814 to Kornstein. Claims 1-21 also stand rejected as being unpatentable over Kornstein in view of Smart and Smith. Further, claims 6-10 and 14-17 have been rejected as being unpatentable over Smart in view of Smith. Insofar as the same three references have been used in formulating these various rejections, the rejections will be discussed hereinafter collectively. As will be apparent from the following discussion, the references, either alone or in combination, fail to teach all of the features of the claimed invention. Accordingly, the Examiner's rejections are traversed for the following reasons.

Smart teaches a lock casing 10 in which a front plate 14 is fixed to a housing pall and has an aperture 14a. A bolt assembly 11 includes two jaw portions 18, 19 that are carried by a slider member. When the slider member is moved, the jaw portions 18, 19 are received in the aperture. The jaw portions included curved cam surfaces 32, 33 that contact a keeper element 16 that moves the jaw portions to an open position. When the slider element is moved all the way into engagement, the jaw portions close around the keeper element 16 to hold the bolt assembly in place. It is noted that, if the Smith assembly were used on a sliding door, the bolt assembly could be slid from the extended position to the retracted position and would be incapable of serving as a lock.

Smith teaches a sliding door lock having a pair of latches 28 that engage a keeper 17. The latches 28 are displaced by moving a spring-loaded operating yoke 36

having a pair of ends 35 that engage the latches 28. The latches have a first end that is pivotally secured to a housing, and a second latching end that is adapted to extend around the keeper. The yoke 36 engages an outer surface of the latches at a location intermediate the first and second ends of the latches.

Kornstein discloses a type of keeper 23 fastened to a door jamb that receives shoulders 33 at an end of a pair of locking bolt sections 25. A first end of the bolt sections are pivotally and slidably connected to a lock casing, while a second end of the bolt sections are adapted to engage a portion of the keeper 23. The keeper includes spring based pawls 41 that receive the second ends of the bolt sections. A rotary actuator or cam 37 is disposed between the bolt sections 25. When rotated, the actuator 37 forces the bolt sections to move away from each other and laterally such that a shoulder on bolt section's second ends engage the pawls.

With reference to claim 5, it is respectfully submitted that none of the references disclose or suggest:

> first and second latch arms, each of said first and second latch arms being biased into engagement with said catch housing and including a first actuated end, a second latching end, and an elongated body portion extending between said first actuated end and said second latching end, ***each of said first and second latch arms having a pivot pin extending through said elongated body portions*** so as to pivotally secure the latch arms to said latch housing (emphasis added)

On the other hand, each of Smith, Smart, and Kornstein teach "latch arms" that are pivotally secured to a housing at a first end. Accordingly, even if the references were combined as advocated by the Examiner, the invention defined in claim 5 would not result.

With reference to claim 7, it is respectfully submitted that none of the cited references disclose or suggest::

> said catch housing including a plurality of walls, and ***wherein at least two opposing walls of the catch housing define slotted openings***...
> a latch actuator, said ***latch actuator being slidably movable relative to said latch housing into engagement with the actuated ends of said first and second latch arms*** so as to pivot said first and second latch arms out of engagement with said catch housing and thereby ***retract said latching ends from said slotted openings in the catch housing*** and permit said sliding window to be slidably moved away from said fixed member (emphasis added)

First, none of the references teach the required catch housing in which two opposing walls define slotted openings. In this regard it is considered clear that Smith and Smart completely fail to teach anything relevant. It is further considered clear that the Kornstein 'pawls' cannot be equated to the slotted openings of claim 7.

Second, none of the references teach a latch actuator that is slidably movable into engagement with actuated ends of the latch arms (keeping in mind that the latch arms are defined as having "a first actuated end, a second latching end, and an elongated body portion extending between said first actuated end and said second latching end"). Rather, Kornstein teaches a rotary actuator. Smith teaches an actuator that engages a portion of the latch arms at a location remote from the 'first end' (pivoted end). Smart does not have an actuator.

With reference to claim 12, it is respectfully submitted that none of the cited references disclose or suggest:

> a catch housing adapted to be secured to a stationary member and defining an end opening and ***a pair of opposed slotted openings, each of said slotted openings being at least partially defined by an edge***

surface (emphasis added).

As noted hereinbefore with reference to claim 7, the cited art fails to teach this feature of the present invention.

With continued reference to claim 12, none of the references disclose or suggest:

> a latch actuator, ***said latch actuator being slidably secured to said latch housing and slidably movable***, in a direction relatively away from said catch housing, ***against the actuated end of each latch arm*** so as to pivot the latching ends of each latch arm out of said slotted openings and out of engagement with said edge surfaces so as to release said sliding window from said fixed window (emphasis added)

As noted hereinbefore during the discussing of claim 7, none of the references teach a latch actuator that is slidably movable into engagement with actuated ends of the latch arms.

With reference to the method defined in claim 18, it is respectfully submitted that none of the cited references disclose or suggest:

> providing a catch housing affixed to said fixed member, ***said catch housing having a pair of opposed walls that define slotted openings***;
> providing a latch assembly, said latch assembly being operable to releasably secure said latch housing to said catch housing and including first and second latch arms and a latch actuator, each of said latch arms having an actuated end and a latching end that are interconnected by an elongated body portion, said actuated ends being received within said latch housing while said elongated body portions project from said latch housing such that said latching ends are disposed outside of said latch housing, ***said latch actuator being slidably secured to said latch housing at a location intermediate said latch arms and being movable laterally relative to said latch housing and said catch housing and against said latch arm actuated end*** so as to move said latch arm latching end out of engagement with said catch housing, and wherein, when said latching ends are engaged with said catch housing, comprising the sequential steps of:
> .....

b) ***engaging said latch actuator with each of the actuated ends of the latch arms and thereby moving said actuated ends relatively away from one another***; (emphasis added)

As has been discussed previously, the cited art completely fails to teach or suggest providing a catch housing having the slotted openings required by claim 18. As also discussed previously, none of the cited art teach or suggest a latch actuator that is movable against the latch arm actuated end, or wherein the latch actuator engages each of the actuated ends to move the actuated ends away from one another, as is also required by claim 18.

Accordingly, even if the references were combined, the present invention as defined in claims 5, 7, 12, and 18 would not result. It is further noted that all of the remaining claims depend, either directly or indirectly form allowable claims 5, 7, 12, or 18, and are likewise allowable. Therefore, for at least the foregoing reasons, it is respectfully submitted that the claimed invention is allowable over the art of record.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. HRA-14955.

Respectfully submitted,

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